

CalWORKs Program Guide (CPG) Special Notice 07-15

Food Stamps Program Guide (FSPG) Special Notice 07-08

Foster Care Program Guide (FCPG) Special Notice 07-01

Medi-Cal Program Guide (MPG) Special Notice 07-04

July 2, 2007

Subject	Implementation of the Federal Deficit Reduction Act of 2005 Requirement to Provide Evidence of U.S. Citizenship/U.S. National Status and Identity as a Condition of Medi-Cal Eligibility for U.S. Citizens and U.S. Nationals
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Effective Date	Upon Receipt
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Reference	ACWDL 07-12
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Purpose	This is the first in a series of Special Notices to provide staff with information and instructions regarding implementation of the new citizenship and identity rules for Medi-Cal eligibility and to inform staff of informational mailers to beneficiaries planned for early July. Additional Special Notices containing specific instructions will be issued as further information becomes available.
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Note: Eligibility staff is not to request citizenship/national status or identity documents based on the new rules until further instructions are issued.

Background	On February 8, 2006 the President signed into law the Deficit Reduction Act of 2005 (DRA). This Act included new regulations which require, as a condition of eligibility, that all US Citizen and US National applicants/beneficiaries of Medicaid (known as Medi-Cal in California) provide documentary evidence of their citizenship/national status and identity to receive Federal Financial Participation (FFP).
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Medi-Cal Program Guide (MPG) Special Notice 07-04, Continued

Background (continued)	On July 12, 2006 the Governor signed into law State Assembly Bill 1807, which amended Welfare and Institutions Code to provide the California Department of Health Care Services (CDHCS) authority to implement the new documentation of citizenship/identity requirements of the DRA.
CalWORKs Program	Current CalWORKs citizenship and identity documentation requirements fulfill the DRA requirements. Compliance with the DRA citizenship requirements will follow current CalWORKs program rules, as outlined in CPG 42-400, sections B and C., including Manual of Policies and Procedures Section 42-433.2.
Food Stamp Program	DRA evidence of citizenship and identity requirements are not applicable to the Food Stamp Program.
Foster Care Program	All foster care children are exempt from the evidence of citizenship/identity requirements of DRA. This includes infants/children receiving: <ul style="list-style-type: none">• Title IV-E foster care and Adoption Assistance Program• Title IV-B child welfare services• State-funded foster care• Kinship Guardianship Assistance Payments (Kin-GAP)• Abandoned Baby Program benefits
Medi-Cal Program	Satisfactory documentation of citizenship/national status and identity must be obtained for: <ul style="list-style-type: none">• most U.S. citizen/U.S. national applicants at time of application for Medi-Cal benefits; and• most U.S. citizen/U.S. national beneficiaries at the time of their next annual redetermination of Medi-Cal benefits.

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Required Action – All Programs

HHSA is developing a phased approach to implementing the new rules so that the requirements do not create unnecessary barriers to U.S. citizens who may otherwise be eligible to full-scope Medi-Cal benefits.

Eligibility staff is not to request citizenship/national status or identity documents based on the new rules until further instructions are issued. If beneficiaries offer to bring/send their documentation now, staff should encourage them to wait until they receive a notice asking for the documents. However, staff is not to refuse to accept any documents that beneficiaries choose to provide.

If an applicant/beneficiary provides documents that have not been requested, staff will do the following:

Step	Action
1	Determine that the document is an original.
2	Photocopy the original document.
3	Stamp copy: PHOTOCOPIED FROM ORIGINAL.
4	Date and Print Name in stamped image. Include Worker Number if applicable.
5	Provide client with a Receipt, if requested.
6	Return original document to client with Attachment B: Information Regarding Citizenship & Identity Rules.
7	File copied document under the case Permanent Verif tab.

Required Office Supplies

Each FRC must purchase a quantity of self-inking stamps sufficient to meet their needs. Stamps should be formatted as follows:

PHOTOCOPIED FROM ORIGINAL

Date: _____ Wkr #: _____

Staff Name (Print): _____

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Outreach Activities

California Department of Health Care Services (CDHCS) will begin mailing DRA informing notices to current Medi-Cal beneficiaries, except Minor Consent beneficiaries, in early July 2007. Family Resource Centers (FRCs) can expect to receive telephone calls or other inquiries from beneficiaries with questions about what is required of them.

Staff is to reassure beneficiaries that there will be **no immediate impact** on current Medi-Cal benefits and there is no need to provide documents at this time. HHSA will send notices to beneficiaries informing them of:

- When they will need to provide documentation;
- What types of documentation they will need to provide; and
- Who they will need to provide documents for.

Voicemail Script

Staff are encouraged to incorporate the following wording into their voicemail messages until further notice:

“If you are calling about the new citizenship and identification requirements for Medi-Cal, please be advised that at this time, you are not required to provide verifications because of the new rules. We will review your case and let you know in writing if we need proof of citizenship or identity for you or your family members. Your benefits will not be changed due to the new rules without written notice.”

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Attachments	The following Attachments are provided to assist staff. The state notices are in draft form, and are subject to revision prior to mailing. Staff will be notified of any changes.
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- Sample Q & A (Attachment A)
 - Information Regarding Citizenship and Identity Rules (English) (Attachment B1)
 - Information Regarding Citizenship and Identity Rules (Spanish) (Attachment B2)
 - Draft copies of state informing notices being sent to current beneficiaries (Attachments C1 & C2, D)
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Automation Impact	No entries are to be made in either CalWIN or MEDS at this time. Additional instructions will be issued regarding required future entries.
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Forms Impact	None.
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Quality Control Impact	None.
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Manager Approval	ORIGINAL SIGNED BY: JAYE YOSHONIS FOR Dann Crawford , Assistant Deputy Director Medi-Cal, General Relief and CAPI Program Administration Strategic Planning and Operational Support
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Sample Q & A Attachment A

Subject	Implementation of the Federal Deficit Reduction Act of 2005 Requirement to Provide Evidence of U.S. Citizenship/U.S. National Status and Identity as a Condition of Medi-Cal Eligibility For U.S. Citizens and U.S. Nationals – Q & A
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Purpose	<p>This Q & A is provided to assist staff with answering questions that may be asked by applicants and beneficiaries regarding the new citizenship and identity requirements.</p> <p>These answers are meant to be used as a guide, not as a script. This Attachment is not a handout.</p>
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Question 1	<p>Why do I have to provide new proof of citizenship and identity?</p> <p>A new federal law requires all Medi-Cal applicants and beneficiaries who claim to be U. S. citizens or nationals to provide proof of their citizenship and identity.</p>
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Question 2	<p>Who must provide the new proof?</p> <p>Many Medi-Cal applicants and beneficiaries who say they were born in the United States, or are U.S. nationals, naturalized citizens, those with acquired or derived citizenship, and U.S. citizens born in American Samoa, Swain's Island, Puerto Rico, Northern Mariana Islands, or Guam.</p>
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Question 3	<p>Do the new rules apply to immigrant families?</p> <p>The new rules do not apply to immigrants who are not U.S. citizens. Legal immigrants will continue to be eligible to full Medi-Cal benefits. Undocumented aliens will continue to be eligible to only limited emergency and pregnancy-related benefits.</p>
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Sample Q & A

Attachment A

Question 4 Who don't the new rules apply to?

Several groups are exempt from the new rules. These include people getting Supplemental Security Income (SSI), Social Security Disability, Medicare, and adoptions assistance, as well as kids in foster care, and newborns who are deemed eligible to Medi-Cal. People who receive CalWORKs benefits meet the requirements of these rules for Medi-Cal purposes.

Question 5 What if I or any member of my family was born in California?

The State has developed an electronic data match that will confirm citizenship for many California-born Medi-Cal applicants and beneficiaries. Many of those whose citizenship is confirmed through the data match process will still need to provide verification of identity, but not citizenship. Parents may vouch for the identity of their children under 16 years of age by signing the Medi-Cal application.

Question 6 When will I have to provide the new proof of citizenship/identity?

San Diego County is taking a thoughtful, phased, approach to applying the new rules in a manner that poses the least inconvenience to our Medi-Cal customers. You will not have to provide proof of citizenship or identity because of the new rules until you receive a written notice from your worker. (Identity is required for applicants MPG 4-7.3. E.)

Question 7 What happens if I can't provide the required documents?

The law allows us to provide a reasonable period of time for Medi-Cal applicants and beneficiaries to provide these documents. We will provide some assistance in obtaining the documents and provide a reasonable opportunity period, which will be determined on a case-by-case basis, to people needing to obtain documents, as long as they are taking steps to do so.

Continued on next page

Sample Q & A

Attachment A

Question 8 What if I can't pay for proof, such as birth certificates, etc.?

We will help you find out how and where to apply for the verifications you need. We will not pay for proof of citizenship or identity for you.

Question 9 Will I lose my Medi-Cal benefits if I can't prove my citizenship and/or identity?

If someone is unable to provide the required documents after a reasonable period of time, or if they don't cooperate with trying to get the required documents, they may receive restricted Medi-Cal benefits limited to emergency, pregnancy and long-term care services.

Information Regarding Citizenship and Identity Rules Attachment B1 - English

County of San Diego

Health & Human Services Agency

Information Regarding Citizenship and Identity Rules

A copy of the documents you gave us will be added to your case file. We have not started to apply the new citizenship and identity rules.

As we apply the new rules, we will review your case and let you know in writing if we need more information for you or your family members.

County of San Diego

Health & Human Services Agency

Information Regarding Citizenship and Identity Rules

A copy of the documents you gave us will be added to your case file. We have not started to apply the new citizenship and identity rules.

As we apply the new rules, we will review your case and let you know in writing if we need more information for you or your family members.

County of San Diego

Health & Human Services Agency

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As we apply the new rules, we will review your case and let you know in writing if we need more information for you or your family members.

County of San Diego

Health & Human Services Agency

Information Regarding Citizenship and Identity Rules

A copy of the documents you gave us will be added to your case file. We have not started to apply the new citizenship and identity rules.

As we apply the new rules, we will review your case and let you know in writing if we need more information for you or your family members.

Information Regarding Citizenship and Identity Rules Attachment B2 - Spanish

County of San Diego

Health & Human Services Agency

Información Sobre las Reglas de Ciudadanía e Identificación

Copias de los documentos que nos entrego serán incluidas en su caso. No hemos empezado a aplicar las nuevas reglas de ciudadanía e identificación.

Cuando empecemos a aplicar las nuevas reglas revisaremos su caso y le diremos por escrito si necesitamos más información para usted o un miembro de su familia.

County of San Diego

Health & Human Services Agency

Información Sobre las Reglas de Ciudadanía e Identificación

Copias de los documentos que nos entrego serán incluidas en su caso. No hemos empezado a aplicar las nuevas reglas de ciudadanía e identificación.

Cuando empecemos a aplicar las nuevas reglas revisaremos su caso y le diremos por escrito si necesitamos más información para usted o un miembro de su familia.

County of San Diego

Health & Human Services Agency

Información Sobre las Reglas de Ciudadanía e Identificación

Copias de los documentos que nos entrego serán incluidas en su caso. No hemos empezado a aplicar las nuevas reglas de ciudadanía e identificación.

Cuando empecemos a aplicar las nuevas reglas revisaremos su caso y le diremos por escrito si necesitamos más información para usted o un miembro de su familia.

County of San Diego

Health & Human Services Agency

Información Sobre las Reglas de Ciudadanía e Identificación

Copias de los documentos que nos entrego serán incluidas en su caso. No hemos empezado a aplicar las nuevas reglas de ciudadanía e identificación.

Cuando empecemos a aplicar las nuevas reglas revisaremos su caso y le diremos por escrito si necesitamos más información para usted o un miembro de su familia.

Draft Copies of State Informing Notices Being Sent to Beneficiaries Attachments C1, C2, D

ATTACHMENT C1

State of California – Health and Human Services Agency

Department of Health Care Services

Changes in Medi-Cal Proof of Citizenship and Identity Requirements For U.S. Citizens and Nationals

If you are not a U.S. citizen, these changes do not apply to you.

A new law says *most* Medi-Cal beneficiaries who are U.S. citizens or nationals must show proof of citizenship and proof of identity. The proof must be original or copies that have been certified by the issuing agency.

The new law does *not* apply to U.S. citizens or nationals in any of these categories:

- Anyone with:
 - Supplemental Security Income (SSI) (past or present)
 - Medicare
 - Social Security Disability Insurance (SSDI)
 - Social Security Retirement and Survivors Insurance (RSI – Title II) based on their own disability
- Anyone under 21 asking for Minor Consent Services
- Babies born to women on Medi-Cal
- Children in Foster Care or Adoption Assistance
- Babies in the Abandoned Baby Program
- CalWORKs Beneficiaries

If you are a U.S. citizen or national, but not in one of the above groups, you must provide proof of citizenship and identity at the next annual redetermination of your Medi-Cal eligibility, unless the county already has the proof. See below.

Many kinds of proof of citizenship and identity are acceptable.

The easiest way to provide *both* proof of citizenship and identity is with **one** of these documents:

- U.S. Passport issued without limitation (*expired ones are acceptable*), or
- Certificate of Naturalization (N-550 or N-570), or
- Certificate of U.S. Citizenship (N-560 or N-561)

If you do *not* have one of these documents, you will have to provide both proof of citizenship and identity. See back for a list of acceptable kinds of proof of citizenship and identity.

Do U.S. nationals need to provide proof of citizenship and identity?

Yes. U.S. nationals include people born in American Samoa (including Swains Island) and certain people from the Commonwealth of the Northern Mariana Islands.

What if I am NOT a U.S. citizen?

If you are not a U.S. citizen or national, you only need to provide the same documents that were required before. Nothing has changed.

When do I have to provide proof of citizenship and identity?

You must provide this proof at the next annual redetermination of your Medi-Cal eligibility.

We may be able to get proof of citizenship for you.

If you were born in California, the county may be able to get your birth record. (A birth record is proof of citizenship.) If the county finds your birth record, you must still provide proof of identity.

Ask your county about getting proof of citizenship if you were not born in California.

Will my Medi-Cal benefits continue?

Your Medi-Cal benefits will continue if you meet all other eligibility requirements and make a reasonable effort to provide proof of citizenship and identity.

Important! You must tell your eligibility worker you are trying to get the proof.

Do I have to provide proof every year?

No. You only need to provide the proof once.

Questions?

If you have questions about proof of citizenship or identity, call your local social services office or eligibility worker.

Enclosure 9 (06/07)

Draft Copies of State Informing Notices Being Sent to Beneficiaries Attachments C1, C2, D

ATTACHMENT C2

State of California – Health and Human Services Agency

Department of Health Care Services

Acceptable Citizenship and Identity Documents

The easiest way for U.S. citizens or nationals to provide *both* proof of citizenship and identity is with **one** of these documents:

- U.S. Passport issued without limitation (expired ones are acceptable)
- Certificate of Naturalization (N-550 or N-570)
- Certificate of U.S. Citizenship (N-560 or N-561)

– OR –

If you do not have one of the documents above, provide...

One citizenship document from this column **AND One** identity document from this column

- | | |
|---|---|
| <ul style="list-style-type: none">❖ U.S. Birth Certificate❖ Certification of Report of Birth (DS-1350)❖ Report of Birth Abroad of a U.S. Citizen (FS-240)❖ State Department Certification of Birth (FS-545 or DS-1350)❖ U.S. Citizen Identification Card (I-197 or I-179)❖ American Indian Card (I-872)❖ Northern Marianas Card (I-873)❖ Final adoption decree showing a U.S. place of birth❖ Proof of employment by the U.S. civil service before June 1, 1976❖ U.S. military service record that shows a U.S. place of birth❖ U.S. hospital record established at the time of the person's birth *❖ Life, health, or other insurance record *❖ Federal or State census record that shows the applicant's age and U.S. citizenship or place of birth❖ Seneca Indian tribal census record *❖ Bureau of Indian Affairs tribal census record of the Navajo Indians *❖ U.S. State Vital Statistics birth registration notification*❖ An amended U.S. public birth record (amended more than 5 years after the person's birth) *❖ Statement signed by doctor or midwife present at the time of birth *❖ Admission papers from a nursing or skilled care facility, or other institution that shows a U.S. place of birth❖ Medical record (not an immunization record) * | <ul style="list-style-type: none">❖ Driver's license issued by a U.S. State or Territory with a photograph or other identifying information❖ School Identification card with a photograph❖ U.S. Military I.D. card or draft record❖ Federal, state or local government I.D. card with same identifying information as a driver's license❖ U.S. Military dependent identification card❖ A U.S. passport (issued with limitation)❖ Certificate of Degree of Indian Blood or other U.S. American Indian/Alaska Native Tribal document❖ U.S. Coast Guard Merchant Mariner Card❖ School, daycare, or nursery school records for a child under 16 |
|---|---|

For a child under 16 who did not provide an *Affidavit of Citizenship*, you may submit:

- ❖ An Affidavit of the child's identity signed by the child's parent or guardian.
- ❖ A Medi-Cal application or the Healthy Families/Medi-Cal joint application that shows the child's date and place of birth, and is signed by the child's parent or guardian.

Note: Expired identity documents are acceptable proof of identity.

* Must be dated at least 5 years before your 1st Medi-Cal application and show a U.S. place of birth.
You must provide a document as high on the list as you can

If you cannot provide any of these citizenship documents...

Ask two adults to fill out and sign an *Affidavit of Citizenship*. Both adults must have proof of their own identity and U.S. citizenship, and only one of them may be related to you.

Enclosure 9 (06/07)

Draft Copies of State Informing Notices Being Sent to Beneficiaries Attachments C1, C2, D

ATTACHMENT D

State of California – Health and Human Services Agency

Department of Health Care Services

Name
Address
City, CA zip

Dear Beneficiary:

A new law says most Medi-Cal beneficiaries who are U.S. citizens or nationals must show proof of citizenship and proof of identity.

Because we can use a birth record as proof of citizenship, we searched for California birth records for everyone in your household.

We found California birth records for the household members identified below:

Beneficiary 1
Beneficiary 2
Beneficiary 3
Beneficiary 4
Beneficiary 6
Beneficiary 7
Beneficiary 9
Beneficiary 9
Beneficiary 10
Beneficiary 11
Beneficiary 12

These people do NOT have to show proof of *citizenship*. But, they still must show proof of *identity*.

If there are other people in your household who are not listed above, they must still show proof of citizenship *and* proof of identity. We were not able to find a birth record for them. We cannot search for birth records for people born outside of California.

If you have questions or need help, contact your local social services office.

Enclosure 12 (06/07)